

Art Unit: N/A

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (currently amended) A swash plate type variable capacity compressor to be used for a supercritical refrigerating cycle comprising:

a swash plate which is disposed rotatably,  
a piston which is coupled with the swash plate  
and

a cylinder which holds the piston movably, ~~the cylinder is provided with~~

a suction valve provided on the cylinder for sucking a refrigerant of the supercritical refrigerating cycle and

a discharge valve for discharging the refrigerant, wherein:

the suction valve has valve bodies having flexibility attached to suction ports for sucking the refrigerant, and

the swash plate type variable capacity compressor has [[the]] valve bodies press-contacted in an elastically deformed state against [[the]] valve seats of the suction ports to decrease the number of rotations of the swash plate when the refrigerant is started to be compressed.

2. (original) The swash plate type variable capacity compressor according to claim 1, wherein the valve bodies have deflection of 1 mm or less when the valve bodies are fitted to the suction ports and the valve bodies receive an external force of 1.8 N or less from the valve seats of the suction ports.

3. (currently amended) The swash plate type variable capacity compressor according to claim 1 [[or 2]], wherein the supercritical refrigerating cycle is a refrigerating cycle for air conditioning of a car interior to be mounted in an automobile, and the swash plate type variable capacity compressor is a clutchless compressor which is coupled with a motor vehicle engine without via a clutch.

4. (new) The swash plate type variable capacity compressor according to claim 2, wherein the supercritical refrigerating cycle is a refrigerating cycle for air conditioning of a car interior to be mounted in an automobile, and the swash plate type variable capacity compressor is a clutchless compressor which is coupled with a motor vehicle engine without via a clutch.